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**UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
PORTLAND DIVISION**

**UNITED STATES OF AMERICA**

**v.**

**WILLIAM FLOYD MOORE**

**Defendant.**

**Case No. 3:11-CR-00375-HA  
3:11-CR-00379-HA  
3:97-CR-00195-HA**

**GOVERNMENT'S MOTION TO  
CONTINUE TRIAL**

The United States of America, by S. Amanda Marshall, United States Attorney for the District of Oregon, through Gregory R. Nyhus, Assistant United States Attorney (AUSA) for the District of Oregon, hereby requests a continuance of the trial, currently scheduled to begin July 10, 2012, approximately six weeks, or any date the week of July 30, 2012, or thereafter convenient to the Court.

Defendant was arraigned on October 12, 2011, on both indictments 3:11-CR-375 (bank robbery) and 3:11-CR-379-HA (felon in possession of a firearm). Trial was set for December 13, 2011. Defense counsel has requested two trial continuances.

Counsel for the government is scheduled to be a complex argument before the Ninth Circuit Court of Appeals during the current trial setting. The case agent is has scheduling conflicts and is unavailable the week of July 2, 2012, as well as August 10-21, 2012. Therefore, the government requests a continuance of the trial date, to August 28, 2012, or any time that week convenient to the Court, in order to allow the government to be prepared and have witnesses available. A scheduling conference may be necessary, as defense counsel recently indicated that he would be filing a motion to suppress.<sup>1</sup>

This is the government's first motion to continue in this case, and it is made in good faith and not for the purposes of delay. Based upon Title 18, United States Code, Section 3161(h)(7)(A), the government believes that a continuance is appropriate, as the ends of justice served by taking such a delay, outweigh the best interest of the public and the defendant in a speedy trial.

Harold DuCloux, III, defense counsel of record, has been contacted and has no objection to the government's request.

DATED this 18<sup>th</sup> day of June 2012.

Respectfully submitted,

S. AMANDA MARSHALL  
United States Attorney

*s/ Gregory R. Nyhus*  
GREGORY R. NYHUS, OSB #913841  
Assistant United States Attorney

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<sup>1</sup> The government would request that the supervised release violation hearing in matter 3:97-CR-00195-HA be rescheduled to track with and follow the new trial setting.